

## REMARKS

Claims 1–13 and 25-33 are pending in the application. Claims 1-11 and 25 through 33 have been allowed.

Claims 12 and 13 have been rejected. With this amendment claim 12 has been amended to further define the invention. Support for the amendment is set forth in the specification on at least page 13, third and fourth full paragraphs wherein it is stated that plurality of microstructure molded parts can be fabricated utilizing the prefabricated magazine. One special advantage of the invention is that the magazine can connect several molded parts with spaces in relation to each other. Fabrication of a plurality of microcomponents within a prefabricated magazine is further shown in the drawings.

Claims 12 and 13 have been rejected under 35 U.S.C. §103 as being unpatentable over Durr, U.S. Patent No. 6,446,270. The Examiner states that Durr discloses the basic claimed procedure including fabricating at least one molded part using a prefabricated magazine or frame or liner (118), which carries the molded part (helmet) by holding contact with at least parts of the side surface, as well as the remaining claimed features. The Examiner states that Durr appears not to state that the molded part formed possess a microstructure, but Official Notice is taken by the Examiner that molded articles tend to adapt a surface structure that reflects a texture or microstructure present in a mold cavity surface.

As indicated hereinabove, claim 12 has been amended to further define that a plurality of microstructure molded parts are fabricated using a prefabricated magazine and the magazine and microstructure molded parts are demolded as one magazine molded part composite, wherein the microstructure molded parts are placed in the magazine with reproduced alignment and high position and placement accuracy.

It is respectfully submitted that the Durr reference cannot teach or suggest Applicants' claimed invention. Durr liner 118 is not a magazine. As described in the present invention and as known to one of ordinary skill in the art, a magazine is used for storing microcomponents, which is expressed in claim 12 by the term "packaging". One element of a *prima facie* case of obviousness requires that the reference teach. The description of the reference must enable a person with ordinary skill in the art not only to comprehend the invention, but also to make it. It has not been shown that a person

of ordinary skill, seeking to solve the problem of how to prefabricate and package microstructure molded parts replicatively utilizing a prefabricated magazine, would reasonably be expected or motivated to look to a method for producing a football helmet. There must be some reason, suggestion or motivation found in the prior art whereby a person of ordinary skill in the field of the invention would make the combination. That knowledge cannot come from the Applicants' invention itself.

It is further respectively submitted that the liner 118 cannot teach Applicants' claimed carrying of the microstructures molded parts by holding contact of at least parts of the side surfaces, which fix the molded parts inside the magazine, so that they can be transported and handled. Liner 118 is made of a flexible material, see column 7, line 28, that is a rubber or the like flexible material which is injected into a liner mold to fill a liner shaped void and allowed to cure, forming the flexible liner shown in Fig. 6, see column 7, lines 48-51. The liner material of Durr would not be suitable for a magazine for microparts, because the microparts would not be fixedly held therein.

Moreover, the flexible liner is peeled away from the interior of the helmet 110 as set forth in columns 7, lines 29-31, which clearly indicates that the helmet carries the liner. However, the claimed magazine carries the microcomponents and not vice versa.

Moreover, as indicated hereinabove, the amendment to claim 12 indicates that the plurality of microstructure molded parts are prepared utilizing the prefabricated magazine. Durr cannot teach or suggest the same. As illustrated in Fig. 6, the Durr mold is utilized to prepare a single helmet.

It is respectfully submitted that the claims are in condition for allowance and a notice of such is earnestly solicited. Should the Examiner have any questions regarding this response, a telephone call to the undersigned is greatly appreciated in order to expedite allowance of the application.

Respectfully submitted,

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